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MRS. TOMIKO MUNAKATA MILLHOLLIN

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H. R. 1718]

The Committee on the Judiciary, to which was referred the bill (H. R. 1718) for the relief of Mrs. Tomiko Munakata Millhollin, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of the Japanese wife of a United States citizen.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on December 4, 1929, and was married before the American vice consul in Yokohama on October 26, 1950, to Lorrin Millhollin, a native-born citizen of the United States.

A letter dated February 14, 1952, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

FEBRUARY 14, 1952.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 1718) for the relief of Mrs. Tomiko Munakata Millhollin, an alien. The bill would provide that section 13 (c) of the Immigration Act of 1924, which excludes from the United States aliens ineligible to citizenship shall not apply to Mrs. Tomiko Munkata Millhollin, Japanese wife of Lorrin Millhollin, a citizen of the United States.

The files of the Immigration and Naturalization Service of this Department disclose that Mrs. Tomiko M. Millhollin is a native and citizen of Japan who was born on December 4, 1929. According to a certificate issued by Wendell Woodbury, vice consul of the United States, Yokohama, Japan, the alien was married in his presence on October 26, 1950, to Lorren (Lorin) Millhollin, a native-born citizen of the United States. Mr. Millhollin stated that they intended to be re-married in a religious ceremony at the Salt Lake Temple in Utah after they arrived in the United States.

The files further disclose that Lorren Millhollin was born in Iowa on September 27, 1894, and was a lieutenant commander in the United States Navy during World War I. He is an elder of the Mormon Church, Salt Lake City, Utah, and since 1941, except for 3 years service as an instructor at two United States Air Force bases in California, has been more or less regularly employed by the American President Lines as chief radio operator and earns \$423 a month. He has cash assets worth \$8,000 and photographic equipment worth \$3,000. He divorced his first wife in June 1942. His two daughters by that marriage are married and have children of their own.

The files further disclose that the alien is being supported by Mr. Millhollin who has already paid for her transportation to the United States. She has been issued a permit to leave Japan. Mr. Millhollin further stated that the alien is in good health and, as far as he is aware, has never engaged in any activities detrimental to the welfare of the United States.

Since the alien is of the Japanese race, she is ineligible for naturalization under section 303 of the National Act of 1940 and thus is inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. In the absence of special legislation she may not be permitted to enter this country for permanent residence.

Whether the bill should be enacted presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Congressman John Shelley, the author of the bill, appeared before a subcommittee of the Committee on the Judiciary of the House of Representatives and submitted the following letter in connection with the bill:

JAPANESE MISSION,
CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS,
Tokyo, Japan, December 22, 1951.

Congressman JOHN SHELLEY,
House Office Building, Washington, D. C.

DEAR CONGRESSMAN SHELLEY: I am writing this letter to you in behalf of Mrs. Tomiko Millhollin, the wife of Lorren Millhollin of the American President Lines, who I believe is a mutual friend of ours. It is my understanding that a character reference from a minister or a clergyman is necessary to accompany her application to enter the United States. I'm therefore, very happy to submit the following reference for her: I have had the pleasure of knowing Mrs. Tomiko Millhollin and to the very best of my knowledge, I find her to be of the highest moral character. She is well respected by her Japanese and American friends and has a very pleasing personality. She is a type of person that can easily adapt herself to foreign customs and habits. Her pleasing personality makes it easy for her to mix in a social group. I'm sure she is worthy of every confidence and trust and would be a credit to any community where she may reside. If there is additional information that I could furnish I would be most happy to do so.

Incidentally, Congressman, I know that you may not remember me, however I remember having the pleasure of meeting you through one of our mutual friends, Mr. Jack Starrat, at the Lexington Hotel in Oakland, Calif., during one of the Democratic convention meetings there. I congratulate you on the work you are doing and wish you every success in it for the future.

Thanking you for your help to Mr. and Mrs. Millhollin and with kindest personal regards, I am,

Very truly yours,

VINAL G. MAUSS.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 1718) should be enacted.